

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RICHARD MALONE, individually and on	§	
behalf of all others similarly situated,	§	
	§	Civil Action No. 5:16-cv-0955-FB
Plaintiff,	§	
	§	
v.	§	
	§	
CST BRANDS, INC., et al.,	§	
	§	
Defendants.	§	

**NOTICE OF VOLUNTARY DISMISSAL**

PLEASE TAKE NOTICE that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, Lead Plaintiff and all Plaintiffs voluntarily dismiss without prejudice the above-styled consolidated action against Defendants. All costs and expenses, including attorneys' fees, will be borne by the party that incurred them. This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

DATED: April 10, 2017.

Respectfully submitted,

/s/ Thomas E. Bilek

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed via the District's CM/ECF system on April 10, 2017, which caused an electronic copy of same to be served automatically upon all counsel of record.

/s/ Thomas E. Bilek  
Thomas E. Bilek